

**PEQUEA TOWNSHIP
ZONING HEARING BOARD
Minutes of – June 1, 2021**

The members of the Pequea Township Zoning Board met on June 1, 2021 in the conference room of the Pequea Township Building. The ZHB meeting was called to order by Chair, Rob Mellinger @ 1903 hrs.

ZHB Members Present:

Don Homsher, Rob Mellinger, Jeff Krieder and Tom Haas

Alternate:

Constantine Costa

Court Reporter:

Cathy S Mertz

ZHB Solicitor:

Janice Longer

Zoning Officer:

Jennifer Hendricks

Old Business:

A motion was made to approve the minutes of the 3/2/21 meeting. All approved.

New Business:

Three applications

1. Murphy
2. Snyder LLC
3. Clark Associates

The Hearing:

All three application presentations were excellent.

1. Murphy - Executive Meeting: Out 20:45, In 20:55. End Time 20:59
2. Snider – Start time 21:00 – End Time 21:19
3. Clark – Start time 21:20 – End Time 21:41

Parties:

Murphy – Todd Schoff (expert witness)
Snyder – Donald Dale
Clark – Presenters

Vote:

Murphy - Approved 5-0
Snyder – Approved 5-0
Clark – Approved 5-0

Decision:

Application of Daniel P. Murphy and Robert J. Murphy III
105 West Penn Grant Road,
Willow Street, PA 17584

Dear Applicant and Attorney Yoder:

This will confirm that, at a hearing on June 1, 2021, the Pequea Township Zoning Hearing Board (the "Board") granted the request of Applicants Daniel and Robert Murphy (hereinafter collectively "Applicant") for a Special Exception to operate a self-storage facility in the Commercial Zoning District subject to the requirements of Section 903.11 and 1502.32 of the Pequea Township Zoning Ordinance. The Board also granted a special exception to locate the self-storage facility in the Steep Slope Conservation Overlay Zone subject to the requirements of Article 12. A special exception was granted to allow greater than 20% disturbance of prohibitive slopes and greater than 40% disturbance of precautionary slopes, in accordance with the plans presented at the hearing.

The Board granted a variance from the requirements of Section 1502.32.H to accommodate the proposed design which will require slopes that exceed the 4% limitation in the Ordinance, to a range of 11-15%.

The Board granted a variance from the requirements of Section 1502.32.J to allow access from Penn Grant Road, which is a rural minor collector road.

The Board granted a variance from the requirement of bicycle parking pursuant to Section 1404.C.2.E so that no bicycle parking area need be included in Applicant's design.

The Board approved the proposal with respect to the Perimeter Landscape Buffer pursuant to Section 1405.C. without a finding that the requirements of Section 1405.C. are applicable, since Applicant's proposed site is under ten acres.

The Board granted variances from the requirements of Section 1405.E and G.5 with respect to the number and size and type of landscape plant material and the need for interior landscaping in the parking areas.

The Board approves the design as presented, as the design adequately meets the considerations behind the landscape requirements of the Ordinance.

The special exceptions and variances are subject to the following condition: Applicant's development and use of the property which is the subject of this Application shall be in accordance with the information provided in the Application, and documents submitted with the Application and with the representations, testimony and exhibits presented to the Board at the hearing held June 1, 2021.

This letter is your notice of the Decision required by Section 908(1) of the Municipalities Code. The Board has instructed me to forward this notice to you, in my capacity as Solicitor to the Board.

Sincerely,
Janice L.M. Longer, Esq.

Decision Continued:

Application of Snyder7 LLC, 2086 New Danville Pike

Dear Applicant and Attorney Crème:

This will confirm that, at a hearing on June 1, 2021, the Pequea Township Zoning Hearing Board (the "Board") granted the request of Applicant Snyder7 LLC for a variance pursuant to Section 802 to allow the establishment of a contractor's office in the Village Zoning District. The Board has determined that the operation of a contractor's office is similar to that of a business office and that the Applicant's storage of materials in an existing garage on the property would not alter the character of the neighborhood.

The grant of the variance is subject to the following condition: Applicant's development and use of the property which is the subject of this Application shall be in accordance with the information provided in the Application, and documents submitted with the Application and with the representations, testimony and exhibits presented to the Board at the hearing held June 1, 2021.

This letter is your notice of the Decision required by Section 908(1) of the Municipalities Code. The Board has instructed me to forward this notice to you, in my capacity as Solicitor to the Board.

Sincerely,
Janice L.M. Longer, Esq.

Application of Clark Associates Companies
201 West Kendig Road, Willow Street, PA

Dear Mr. Felty:

This will confirm that, at a hearing on June 1, 2021, the Pequea Township Zoning Hearing Board (the "Board") granted the request of Applicant Clark Associates Companies for a dimensional variance from the requirements of Section 1005.E to allow a small section of the building as illustrated on the site plan presented at the hearing, which has been made part of the record, to encroach by 13 feet into the required 100-foot rear yard setback.

The Board also granted Applicant's request for a variance from the requirements of Section 1405.E.1 to allow fewer than the required number of plantings for the site. The Board has determined that compliance with the standards in the Ordinance would be impossible and that the landscape plan proposed by Applicant sufficiently provides buffer and therefore meets the objectives of the Ordinance.

The grant of these variances is subject to the following condition: Applicant's development and use of the property which is the subject of this Application shall be in accordance with the information provided in the Application, and documents submitted with the Application and with the representations, testimony and exhibits presented to the Board at the hearing held June 1, 2021.

This letter is your notice of the Decision required by Section 908(1) of the Municipalities Code. The Board has instructed me to forward this notice to you, in my capacity as Solicitor to the Board.

Sincerely,
Janice L.M. Longer, Esq.

This Meeting was adjourned at (21:41) hrs.
Respectfully Submitted
Pequea Township ZHB Secretary
Don Homsher Sr

A handwritten signature in black ink, appearing to read "Don Homsher", with a long, sweeping horizontal line extending to the right.